

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of the confirmation reports as offered by the Health and Human Services Committee.

PRESIDENT: Those mentioned by Senator Wesely are confirmed. Anything further on that?

CLERK: I have nothing further in that regard, Mr. President.

PRESIDENT: The call is raised. Mr. Clerk, do you have things for the record?

CLERK: I do, Mr. President, thank you. Government Committee, who is Chaired by Senator Baack, reports LB 931 to General File with committee amendments attached. (See pages 962-65 of the Legislative Journal.)

Mr. President, I have notice of hearing from the Judiciary Committee for next Friday. Senator Ashford has amendments to LB 164 to be printed. (See page 966 of the Legislative Journal.)

Two new A bills. LB 220A by Senator Pirsch. (Read by title for the first time as found on page 966 of the Legislative Journal.) And LB 42A by Senator Schmit. (Read by title for the first time as found on page 966 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: We will move on to number six, Mr. Clerk.

CLERK: Mr. President, Speaker Barrett offers LR 259, found on page 908 of the Journal. (Read brief description of LR 259.)

PRESIDENT: Senator Barrett, please.

SPEAKER BARRETT: Thank you, Mr. President, and members, I am pleased to be able to present this resolution for the Jaycees of this state, the organization that does develop young leaders, an organization which is with us today, an organization which has been deeply involved in youth programs, aid to the elderly, muscular dystrophy, cystic fibrosis, foster children, cancer, governmental affairs and so forth. These people are with us today as the number one Jaycee chapter in the United States, under the direction of State President Gary Person. This is

March 6, 1990

LB 42A, 220A
LR 265

CLERK: 29 ayes, 0 nays, Mr. President, on the adoption of LR 265.

SENATOR HANNIBAL: LR 265 is adopted. Moving on to item six, Mr. Clerk, General File.

CLERK: Mr. President, the first bill on General File is LB 42A. It was introduced by Senator Schmit. (Read title.)

SENATOR HANNIBAL: Senator Schmit, please, LB 42A.

SENATOR SCHMIT: Mr. President, I move the bill be advanced.

SENATOR HANNIBAL: There are no other lights on, Senator Schmit, would you care to close? Senator Schmit waives closing. The issue before you is the advancement of LB 42A. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 27 ayes, 2 nays, Mr. President, on the advancement of LB 42A.

SENATOR HANNIBAL: LB 42A is advanced. LB 220A.

CLERK: 220A, Mr. President, offered by Senator Pirsch. (Read title.)

SENATOR HANNIBAL: Senator Pirsch, please.

SENATOR PIRSCH: Thank you, Mr. Chairman. Senator Schmit's appeal worked so well, I think I'll try the same thing. I move that LB 220A be advanced.

SENATOR HANNIBAL: There are no further lights on. Senator Pirsch, would you care to close?

SENATOR PIRSCH: No, just move the bill.

SENATOR HANNIBAL: Senator Pirsch waives closing. The issue before you is the advancement of LB 220A. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 220A.

SENATOR HANNIBAL: LB 220A is advanced. We'll be moving on to

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LB 42A, 81, 220A, 369A, 579, 830, 831
863, 880A, 888, 917, 922, 923A, 932
938, 954, 956, 978, 987, 987A, 1013
1022, 1037, 1050, 1067, 1077, 1090A, 1102
1136, 1178, 1199, 1222

SPEAKER BARRETT: Thank you. You have heard the motion by Senator Wesely to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Roll call. Record, Mr. Clerk.

CLERK: I have a quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Anything for the record?

CLERK: Mr. President, I do. Bills read on Final Reading, this morning, have been presented to the Governor as of 12:15 p.m. (Re. LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 938, LB 932, LB 917, LB 888, LB 831, LB 830, LB 579, LB 1199, LB 922, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1178, LB 1102, and LB 1077.)

Your Committee on Enrollment and Review reports LB 1018, LB 1136, LB 1222, LB 42A, LB 220A, LB 369A, LB 880A, LB 923A, LB 1090A to Select file, some of which have Enrollment and Review amendments attached, Mr. President. (See pages 1233-36 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Perhaps a very brief announcement from the Chair regarding our deliberations tomorrow. It is my hope that we can work through the lunch hour tomorrow, with the thought in mind that we can adjourn a little early tomorrow for the long weekend. It's my intent, at the present time, to work through the noon hour tomorrow, and look toward an early adjournment tomorrow afternoon. Contrary to previous statements made by the Chair, it will not be my intent to schedule appropriations bills tomorrow, budget bills tomorrow. We will be looking at them, probably, Monday or Tuesday of next week. We will continue with the agenda tomorrow with some Final Reading, probably some Select File, and perhaps senator priorities on General File. Any questions? Mr. Clerk, would you bring us up-to-date.

March 19, 1990

LB 42A, 220A, 315, 369A, 880A, 1018

trying to do here and I applaud him for that. Thank you.

SPEAKER BARRETT: Thank you. The question before the body is the adoption of the Wehrbein amendment to LB 315. All in favor vote aye, opposed nay. Senator Wehrbein.

SENATOR WEHRBEIN: Mr. Speaker, I'd ask for a call of the house and a roll call vote please.

SPEAKER BARRETT: Shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 22 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your desks and record your presence. Unauthorized personnel, please leave the floor. Those outside the Chamber, please return. While waiting for members to return, there are about five bills on Select File that could perhaps be advanced yet this afternoon. If you'd care to make a note, LB 1018, LB 42A, LB 220A, LB 369A and LB 880A. Senator Wesely, the house is under call. Did you request a roll call, Senator Wehrbein? And you're suggesting we can go ahead? Thank you. On the adoption of the Wehrbein amendment, Mr. Clerk, proceed.

CLERK: (Read roll call vote. See pages 1443-44 of the Legislative Journal.) 22 ayes, 12 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion failed. Mr. Clerk, I'd like to proceed to the bills which were identified earlier, starting with LB 1018.

CLERK: Mr. President, 1018, Senator Lindsay, I have E & R amendments, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1018.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted to 1018? All in favor say aye. Opposed no. Carried, they are adopted.

March 22, 1990

LB 42A, 923A, 1222A, 1244

advanced to E & R Final.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the advancement of 1222A please say aye. Opposed no. Ayes have it. The motion carried. The bill is advanced. LB 42A, Mr. Clerk.

ASSISTANT CLERK: Mr. President, I have nothing on the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 42A be advanced to E & R Final.

SPEAKER BARRETT: Any discussion? If not, those in favor of the advancement of 42A please say aye. Opposed no. Carried. The bill is advanced. LB 923A, Mr. Clerk.

ASSISTANT CLERK: Mr. President, I have no E & R amendments. I do have a motion from Senator Wesely to indefinitely postpone the bill.

SPEAKER BARRETT: Thank you. The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. Speaker and members, 923 deals with asbestos regulation. This A bill reduces the appropriation to the Health Department. It's not an increase in appropriation so it wasn't felt that we actually needed the bill so this motion would kill the bill.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of the Wesely motion please vote aye, opposed nay. Record, please.

ASSISTANT CLERK: 26 ayes, 0 nays to indefinitely postpone the bill, Mr. President.

SPEAKER BARRETT: The motion prevails and the bill is killed. To LB 1244, Mr. Clerk.

ASSISTANT CLERK: Mr. President, I do have E & R amendments on LB 1244.

SPEAKER BARRETT: Senator Lindsay.

March 27, 1990

LB 42A, 923, 931, 1059, 1059A, 1063A, 1221
1222, 1222A, 1241, 1244A
LR 11

Mr. President, Enrollment and Review reports LR 11CA to Select File. That's signed by Senator Lindsay as Chair.

Mr. President, your Committee on Enrollment and Review reports LB 42A, LB 931, LB 1059, LB 1059A, LB 1063A, LB 1222, LB 1222A, LB 1241, LB 1244A, all reported correctly engrossed. (See pages 1648-53 of the Legislative Journal.)

Hearing notice from Business and Labor for confirmation hearing, signed by Senator Coordsen as Chair. (See page 1653 of the Legislative Journal.)

Mr. President, Senator Beck would like to add her name to LB 923 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Mr. Clerk, proceeding to LB 1221.

CLERK: Mr. President, LB 1221 was a bill introduced by Senator Hannibal. (Read title.) The bill was introduced on January 18, referred to the Urban Affairs Committee for public hearing, advanced to General File.

SPEAKER BARRETT: Senator Hannibal, would you care to open on your bill?

SENATOR HANNIBAL: Thank you, Mr. Speaker, and members of the Legislature, LB 1221 is a bill, as you heard, came through the Urban Affairs Committee and LB 1221 does two things basically. It deals with the Omaha Plumbing Board and most of you have been made familiar with the issue even though it doesn't affect anybody...anybody's district with the exception of the City of Omaha. I hope I have had a chance to talk with all of you and I have heard...and I imagine you have been talked to by those that are not necessarily in favor of the bill. But anyway LB 1221 does two things to the Omaha Plumbing Board and, for those of you who are not familiar, the Omaha Plumbing Board is a five-member board consisting of four members that are considered in the plumbing industry, a journeyman plumber, a master plumber, four members there, and one health officer. LB 1221 expands that to add two new members to it, to the plumbing board and those two members would be a mechanical engineer and an architect. The third...second thing it does with that plumbing board is it removes...the specific requirement that the health officer serve on the board and allows the mayor to appoint a person from the general public as the fifth...or the seventh

April 3, 1990

LB 42, 42A, 799, 1146

nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1835-36 of the Legislative Journal.) The vote is 41 ayes, 1 nay, 4 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 1146 passes with the emergency clause attached. LB 42. Senator Chambers.

SENATOR CHAMBERS: I want to just withdraw this bill.

PRESIDENT: Okay, you've made your point. Read the bill.

ASSISTANT CLERK: (Read LB 42 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 42 pass? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1836-37 of the Legislative Journal.) The vote is 36 ayes, 10 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 42 passes. LB 42A.

ASSISTANT CLERK: (Read LB 42A on Final Reading.)

PRESIDENT: Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1837 of the Legislative Journal.) 37 ayes, 8 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 42A passes. LB 799 with the emergency clause attached.

CLERK: (Read LB 799 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 799 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. clerk, please.

CLERK: (Record vote read. See page 1838 of the Legislative

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LB 42, 42A, 642, 656, 799, 866, 880
880A, 953A, 1004, 1004A, 1019, 1019A, 1059
1059A, 1064, 1064A, 1080, 1080A, 1113, 1113A
1136, 1146, 1184, 1184A, 1222A
LR 418

CLERK: (Read LB 1222A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is shall LB 1222A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 1847 of Legislative Journal.) 44 ayes, 0 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 1222A passes. Do you have something for the record, Mr. Clerk?

CLERK: Mr. President, I do, a new resolution by the Judiciary Committee, (LR 418.) a study resolution. Enrollment and Review reports LB 1064 and LB 1064A as correctly engrossed, both signed by Senator Lindsay as Chair; and LB 1059 and LB 1059A is correctly enrolled. Enrollment and Review reports LB 1113 and LB 1113A to Select File, signed by Senator Lindsay. Amendments to be printed by Senator Hartnett to LB 953A, Senator Hall to LB 866. And, Mr. President, a confirmation report from Transportation Committee signed by Senator Lamb as Chair. That's all that I have, Mr. President. (See pages 1847-52 of the Legislative Journal.)

PRESIDENT: While the Legislature is in session, capable of transacting business, I propose to sign and do sign LB 880, LB 880A, LB 1004, LB 1004A, LB 1080, LB 1080A, LB 1184, LB 1184A, LB 656, LB 1146, LB 42, LB 42A, LB 799, LB 1019, LB 1019A, LB 1059A, LB 1059, LB 1136, LB 1122, correction, LB 1222, and LB 1222A. We're ready to go. Mr. Clerk, do you have something on the desk?

CLERK: Mr. President, motion pending from this morning was one offered by Senator Chambers and that motion was to overrule or change the Speaker's agenda to permit consideration of a suspension motion relating to LB 642.

PRESIDENT: (Gavel). Could we have your attention so we can hear the speaker? Senator Chambers, please.

SENATOR CHAMBERS: Thank you. Mr. Chairman and members of the Legislature, this is a continuation from what I was attempting

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LB 42, 42A, 571A, 834, 843, 843A, 855
855A, 880, 880A, 896A, 920, 1004, 1004A
1019, 1019A, 1043, 1059, 1059A, 1030A, 1090
1109, 1222, 1222A, 1241

Mr. President, I have received veto messages on the following bills: LB 1059, LB 1059A, LB 42, LB 42A, LB 880, LB 880A, LB 1004 and LB 1004A, LB 1019 and LB 1019A, LB 1080A, LB 1222 and LB 1222A, LB 571A, LB 834, LB 843 and LB 843A, LB 855 and LB 855A, LB 896A, LB 1043, LB 1090 has a line-item reduction, LB 920 has a line-item reduction, LB 1241 has a line-item reduction. (See Messages from the Governor as found on pages 1985-98 of the Legislative Journal.) All those, Mr. President, as I indicated, are available to the members on their desks. Have an Attorney General's Opinion addressed to Senator Schmit regarding LB 1059 and I believe that's all that I have, Mr. President.

PRESIDENT: Thank you. We have a motion from Speaker Barrett. Speaker Barrett.

SENATOR BARRETT: Thank you, Mr. President and members. I offer the motion to suspend Rule 6, Section 7, subsection (b), and Rule 5, Section 6, to permit these bills to be read on Final Reading this morning. The first part, of course is to waive the two-day limitation, and the second is to allow the A bills to be read. I would urge the body to adopt the motion. Thank you.

PRESIDENT: Thank you. Any discussion? If not, the question is the adoption of the suspension of the rules motion. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 32 ayes, no nays, Mr. President, on the suspension of the rules to permit reading of the bills this morning.

PRESIDENT: The rules are suspended and we'll begin Final Reading. If you will find your ways to your own desk, why, we would start Final Reading. (Gavel.) Please return to your desks so we can begin Final Reading. Senator Haberman, would you come home, please? Mr. Clerk, LB 1109, please.

CLERK: Mr. President, I had amendments from Senator McFarland.

PRESIDENT: Is anyone prepared to handle Senator McFarland's motion on this bill? Senator McFarland, you had a motion on this first bill.

SENATOR MCFARLAND: Mr. President, could you read the motion for me?

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LB 42, 42A, 536

SENATOR KRISTENSEN: Mr. President, I would ask that everybody check in and have a roll call and...

PRESIDENT: All right.

SENATOR KRISTENSEN: ...regular order, please.

PRESIDENT: Did you say a roll call vote?

SENATOR KRISTENSEN: Yes, and regular order, please.

PRESIDENT: Regular order. All right. Senator Bernard-Stevens, will you check in, please. Thanks. Senator Schellpeper. Senator Nelson, would you check in, please. Thanks. Senator Schellpeper is here. And the question, ladies and gentlemen, is shall the veto on LB 42 be overridden? All those in favor vote aye, opposed nay. Roll call vote in regular order. Mr. Clerk, please.

CLERK: (Roll call vote taken. See pages 2039-40 of the Legislative Journal.) 30 ayes, 17 nays, Mr. President.

PRESIDENT: The veto is overridden. Shall we take LB 42A? Senator Kristensen, are you going to handle that?

SENATOR KRISTENSEN: Yes, Mr. President, I will do so. I would urge the body to also override LB 42A. Thank you.

PRESIDENT: Thank you. Any further discussion? If not, the question is, shall the veto on LB 42A be overridden? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2040-41 of the Legislative Journal.) 36 ayes, 10 nays, Mr. President, on the override of LB 42A.

PRESIDENT: The veto on LB 42A is overridden. LB 536.

CLERK: Mr. President, Senator Ashford would move that LB 536 become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President, and members, LB 536

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LB 42, 42A, 163, 163A, 164, 164A, 503
503A, 536, 834, 843, 843A, 1004, 1004A
1031, 1043, 1059, 1059A, 1126, 1170, 1222
1222A

employee is 21, State Patrol is 21, other school employees in Omaha, no age limit and the judges are no age limit. So, therefore, I would ask that you override the veto of 834. It doesn't cost any more money. It doesn't cost any money. It will keep young people in Nebraska. It will want them to help work for the state and do a good job for the state and I ask for your override. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Discussion? Senator Elmer, followed by Senator Schellpeper.

SENATOR ELMER: Thank you, Mr. Speaker. To be very brief, and Senator Haberman said it and said it well, all private businesses are required to allow their employees to participate when they're 19. I think the state should go at least as low as 20 to give consideration, allow these young people to accumulate a little more for retirement. It's not going to cost the state any money. I would urge your override. Thank you.

SPEAKER BARRETT: Thank you. Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker, and members, I also rise to support this override. We have some very dedicated employees in this state and I think this is just another thing we can do for the employees. So I think Senator Haberman said it all and I would just move for the override.

SPEAKER BARRETT: Thank you. Anything further, Senator Haberman? If not, the question is, shall LB 834 be overridden? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 2054-55 of the Legislative Journal.) 31 ayes, 0 nays, Mr. President, on the override of LB 834.

SPEAKER BARRETT: LB 834 is overridden. And let the record show that the Chair is certifying that the Legislature has overridden the following vetoes, notwithstanding the objections of the Governor, LB 834, LB 1043, LB 1222 and LB 1222A, LB 1170, LB 1004 and LB 1004A, LB 843 and LB 843A, LB 1059 and LB 1059A, LB 1126, LB 11...excuse me, LB 536, LB 42 and LB 42A, LB 164 and LB 164A, LB 1031, LB 503, and LB 503A, LB 163 and LB 163A, and LB 834. Anything for the record at all, Mr. Clerk?